

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

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Applicant's or agent's file reference BR/JM/EACea/P01PCT		FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/GB 03/04435	International filing date (day/month/year) 13.10.2003	Priority date (day/month/year) 11.10.2002	
International Patent Classification (IPC) or both national classification and IPC A63B1/00			
Applicant CORY, Eileen Anne et Al.			

- This International preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 6 sheets, including this cover sheet.
 - ☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 3 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the opinion
- II ☐ Priority
- III ☒ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 10.05.2004	Date of completion of this report 07.02.2005
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas T I. +31 70 340 - 2040 Tx 31 651 epo nl Fax: +31 70 340 - 3016	Authorized Officer Millward, R Telephone No. +31 70 340-3345



**INTERNATIONAL PRELIMINARY
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International application No. **PCT/GB 03/04435**

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-4 as originally filed

Claims, Numbers

1-12 as amended (together with any statement) under Art. 19 PCT

Drawings, Sheets

1/3-3/3 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).
- (Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been examined in respect of:
- ☐ the entire international application,
 - ☒ claims Nos. 12
- because:
- ☒ the said international application, or the said claims Nos. 12 relate to the following subject matter which does not require an international preliminary examination (specify):
- see separate sheet**
- ☐ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. are so unclear that no meaningful opinion could be formed (*specify*):
 - ☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.
 - ☐ no international search report has been established for the said claims Nos.
2. A meaningful international preliminary examination cannot be carried out due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:
- ☐ the written form has not been furnished or does not comply with the Standard.
 - ☐ the computer readable form has not been furnished or does not comply with the Standard.

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-11
	No: Claims	
Inventive step (IS)	Yes: Claims	
	No: Claims	1-11
Industrial applicability (IA)	Yes: Claims	1-11
	No: Claims	

2. Citations and explanations

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see separate sheet

Re Item III

Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1) Regarding Claim 12: PCT Rule 6.2(a) - Claims shall not rely on references to the description or drawings.

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

2) Reference is made to the following documents:

D1: FR-A-2 783 435 (WILLEMART BENOIT) 24 March 2000 (2000-03-24)

D2: US-A-5 704 065 (FEUERHAKE FREDERICK W) 6 January 1998 (1998-01-06)

3) The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of independent claim 1 does not involve an inventive step in the sense of Article 33(3) PCT.

3.1) The document D1 discloses:

A pair of gloves (page 4 lines 10-17) for right and left hands, each glove being a shaped covering with individual sheaths for each finger and a thumb (see figures),

each glove being formed with a front and a back,

in which at least one glove has one or more narrow bands (12) delineated across its front (figure 1a),

the front and back of both gloves each being bi-coloured or bi-patterned in mutually exclusive portions such that, when worn, and a golf club is being held in a correct grip, only portions of one colour or pattern are visible to a user (page 7 line 3 to page 8 line 23; figures)

characterised in that

one glove (eg G1, figure 1b) has a formation (20) on the sheath for the thumb for location, in use, (page 8 lines 1-5) with a substantially semi-circular formation (26) provided on the front of the other glove (G2, figure 2a),

the semi-circular formation being directed towards the sheath for the thumb (figure 2a).

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3.2) Therefore, claim 1 differs from the known glove of D1, in that the coloured band (20) of D1 is replaced by "a substantially circular formation".

3.3) Since the formation needs to be circular, it follows that it must be smaller than the band (20) of D1. Therefore it can be inferred that the technical problem to be solved by making the formation circular is one of accuracy of relative placement of the thumb of the second glove in relation to the palm of the first glove. By making the formation on the thumb smaller, the locus of relative placement possibilities is reduced.

3.4) This difference cannot be considered inventive, since it would be obvious to the man skilled in the art, faced with the problem of how to provide a more accurate relative positioning of thumb and palm, to make the markings (20) and/or (26) of D1 of a smaller dimension. (Although this would not necessarily lead to a "substantially circular formation", there is no other conceivable technical effect obtained by making it circular, other than the one discussed in paragraph 3.3 above.)

4) Dependent claims 2-11 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step, the reasons being as follows:

Claim 2 : D2 discloses darts (34, figure 1; 134, figure 3) - their incorporation into the similar glove of D1 would not involve inventive skill.

Claim 3 : eg page 11 line 32 to page 12 line 4

Claims 4-7: features are standard to most golf gloves. Shown in D1 and D2, figures.

Claim 8: Since the coloured portions of the gloves of D1 are intended to not be visible when the club is correctly held, it follows that their shapes would be determined by such a consideration.

Claim 9 D2 lines 2-10

Claims 10 and 11: standard features relating to ventilation, whose incorporation into D1 would not be considered as inventive.

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CLAIMS:

1. A pair of gloves for right and left hands, each glove being a shaped covering with individual sheaths for each finger and a thumb, each glove being formed with a front and a back in which at least one glove has one or more narrow bands delineated across its front, the front and back of both gloves each being bi-coloured or bi-patterned in mutually exclusive portions such that, when worn, and a golf club is being held in a correct grip, only portions of one colour or pattern are visible to a user characterised in that one glove has a substantially circular formation on the sheath for the thumb for location, in use, with a substantially semi-circular formation provided on the front of the other glove, the semi-circular formation being directed towards the sheath for the thumb to assist in the correctness of the grip..
2. A pair of gloves as claimed in Claim 1, wherein a dart of material of a contrasting colour or pattern to the surrounding material is provided at the bottom of the sheath for the thumb of the back of each glove, the dart being directed from a crease between the sheaths for the thumb and forefinger towards a cuff of the glove.
3. A pair of gloves as claimed in Claim 1 or 2, wherein the bi-colours or bi-patterns selected are of a contrasting appearance.
4. A pair of gloves as claimed in any one of Claims 1 to 3, wherein a fastening device is provided on the back of each glove at or near to a cuff.
5. A pair of gloves as claimed in Claim 4, wherein the fastening device comprises a slit being provided from the cuff towards the finger sheaths with a first zone of one

part of a two part fastening being provided on the outer face of the back adjacent to one side of the slit and a tab being provided on the back at the other side of the slit to overlap the first zone, the second zone to mate with the first zone being provided on the undersurface of the tab.

6. A pair of gloves as claimed in Claim 5, wherein the two part fastening is a VELCRO (RTM) fastening.
7. A pair of gloves as claimed in any one of the preceding Claims, wherein the cuff has an elasticated membrane.
8. A pair of gloves as claimed in any one of the preceding Claims, wherein the shapes of the portions of the fronts and backs of the gloves to be coloured or patterned differently are determined by the visible and non-visible areas of the gloves, in use, when a correct grip of the golf club is adopted by a user.
9. A pair of gloves as claimed in any one of Claims 2 to 8, wherein an elongate panel of material similar in colour or pattern to the material of the dart, is provided on the back of the other glove to appear, in use, substantially parallel to the dart when a correct grip of the golf club is adopted by a user.
10. A pair of gloves as claimed in any one of the preceding claims, wherein a vent opening is provided between each finger sheath adjacent to its junction with the rest of the glove.

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11. A pair of gloves as claimed in any one of the preceding claims, wherein each finger sheath on the back of each glove is vented by apertures.

12. A pair of gloves substantially as hereinbefore described with reference to the accompanying drawings.